

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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AHDY L. ATTALLAH,

Plaintiff,

ORDER

CV 12-6132 (JFB)(ARL)

-against-

NEW YORK COLLEGE OF OSTEOPATHIC
MEDICINE, et al.,

Defendants.

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LINDSAY, Magistrate Judge:

Before the court is the *pro se* plaintiff's letter seeking to compel the defendant New York Institute of Technology ("NYIT") to provide the plaintiff access to his educational records, including but not limited to, emails and attachments to and from Dean Scandalis and other college or hospital personnel, statements by Dr. Jane Roe, and other records concerning his expulsion. The plaintiff also seeks to extend his time to submit a Second Amended Complaint.¹ Mr. Attallah has filed several motions concerning his educational records. By order dated July 17, 2013, the undersigned directed the NYIT defendants to arrange for a mutually convenient time for the plaintiff to inspect his "student file." In response to the order, NYIT permitted the plaintiff to inspect his educational file on July 25 and 26, 2013. The folder he reviewed contained twenty-two pages of disciplinary records. Although the defendants have not specifically addressed emails and attachments to and from Dean Scandalis or statements by Dr. Jane Roe, the NYIT dependants have made clear that the plaintiff was provided access to "all of his educational records." Accordingly, the motion is denied.

The plaintiff was already warned, by order dated July 18, 2013, that he was not permitted to file duplicative motions. If the plaintiff fails to comply with this order again, the undersigned will consider the imposition of sanctions, including sanctioning the plaintiff for the reasonable expenses incurred by the defendants in responding to the motion.

With respect to the plaintiff's motion seeking additional time to file a second amended complaint, that request is granted. The plaintiff shall file a second amended complaint no later than September 9, 2013. No further extensions will be granted absent a showing of good cause.

Dated: Central Islip, New York
August 19, 2013

SO ORDERED:

_____/s/_____
ARLENE ROSARIO LINDSAY
United States Magistrate Judge

¹A virtually identical letter motion was filed before Judge Bianco. By order dated August 14, 2013, Judge Bianco directed the undersigned to address that application in conjunction with this application.